



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,116	03/07/2003	Trevor Redvers Bridle	31180.830018.000	4711

7590

06/15/2005

Brian P Kinnear  
Holland & Hart  
555 17th Street Suite 3200  
P O Box 8749  
Denver, CO 80201-8749

EXAMINER

BHAT, NINA NMN

ART UNIT	PAPER NUMBER
1764	

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

10

## Office Action Summary

Application No.

09/937,116

Applicant(s)

BRIDLE ET AL.

Examiner

N. Bhat

Art Unit

1764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 4-17 and 24-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 18-23, 27 and 28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 March 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 4-17 and 24-26 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from another multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 4-17 and 24-26 have not been further treated on the merits.
2. Claims 27-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim. In US Patent Utility practice applicant cannot draft a claim, which refers to only a figure.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1-3, 18-20, 21-23 and 27 and 28 \* rejected under 35 U.S.C. 102(b) as being anticipated by Lee.

Lee teaches a process and apparatus for treating dried sludge comprising feeding dried sludge through a reactor in the absence of oxygen to volatilize oil contained in the organic materials of the sludge, transferring the gaseous products from the reactor to a catalytic converter contacting the gaseous product in a catalytic reactor in the absence of oxygen, removing the gaseous products from the catalytic converter and condensing and separating the gaseous products which fully anticipates applicant's claims as presently drafted.

Art Unit: 1764

5. Claims 1-3, 18-20, 21-23 and 27 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Bridle et al. USP 5,865,956

Bridle et al. teach a process and apparatus for conversion of sludge by feeding dried sludge through a first reactor (16), heating the dried sludge in the first reactor(16) in absence of oxygen for volatilizatization of oil products to produce a gaseous product ,condensing the oil for the gaseous products in a system, transferring the sludge residue for the first reactor to the second reactor and contacted the sludge with a second reactor and removing the gaseous products form the second reactor.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bridle'735 teaches a process and apparatus for conversion of sludge. Chittick teach a method of converting organic material into fuel. Bond et al. teach a method for producing fuel oil from cellulose materials. Capener et al. teach a method and apparatus for converting solid organic material into fuel oil. Capener et al. do not teach using a catalytic reactor. Harendza-Harinxma '22 and '800 teach an apparatus for processing municipal solid water and sewage and includes drying the sludge and then pyrolyzing. Bridle et al. '796 teach an apparatus for the conversion of sludge including a heated continuous tubular member having a conveyor to convey the sludge through the reactor.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to N. Bhat whose telephone number is 571-272-1397. The examiner can normally be reached on Monday-Friday, 9:30AM-6:00PM.

Art Unit: 1764

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Caldarola can be reached on 571-272-1444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



N. Bhat  
Primary Examiner  
Art Unit 1764